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**UNITED STATES BANKRUPTCY COURT
FOR THE DISTRICT OF UTAH**

IN RE:

CASE: 22-23804

Carol Aragon

CHAPTER 13

Debtor

Hon. KEVIN R. ANDERSON

Confirmation Hearing: 12/13/22 2:00 pm

**TRUSTEE'S OBJECTION TO CONFIRMATION AND RECOMMENDATION OF
DISMISSAL UNDER 1307(c) IF UNABLE TO RESOLVE**

Lon A. Jenkins, Chapter 13 Trustee, hereby objects to confirmation of the Debtor's plan and in support thereof represents as follows:

1. The Debtor filed a Chapter 13 petition for relief on September 28, 2022 and the First Meeting of Creditors under section 341 was held on November 04, 2022.
2. The Debtor(s) failed to timely provide the Trustee with copies of their State and Federal income tax returns for 2021 (see § 521(e)(2)(A)(i), Fed. R. Bankr. P. 4002(b)(2)(B), and Local Rule 6070-1(c)(2)).
3. The Debtor(s) failed to file a *Declaration of Filed Tax Returns* as required by Local Rule 6070-1(c)(3).

4. Schedule I lists a voluntary, monthly contribution from a third-party (Rent). The Debtor(s) should file with the Court an affidavit signed by such third-party stating that the third-party has the means and the intent to make such contributions on a monthly basis during the term of the Debtor(s)' Chapter 13 Plan.

5. The Debtor(s) have listed a monthly mortgage payment on their budget. The Debtors should provide proof that they are making postpetition monthly mortgage payments consistent with the budget, or they should increase the plan payment by the amount of the mortgage payment they are not making.

6. It appears that the gross income listed on Form 122C-1 does not include all of the Debtor(s)' income received during the six-month "look-back" period of § 101(10A). The Debtor should amend Form 122C-1 to include income from Rent and Food Stamps.

7. The Debtor(s) should establish notice of the Plan is proper as the separate certificate of service has not been filed for creditors listed in Part 3.2 or 3.4. See Federal Rule of Bankruptcy Procedure 3012 and 4003(d) and Local Rule 2083-2(h)(2) and (j)(2).

WHEREFORE, the Trustee objects to confirmation of the Debtor's plan. If the Debtor is unable to resolve the objection by the confirmation hearing, the Trustee will move to dismiss or convert the case.

Dated: November 8, 2022

MaryAnn Bride
Attorney for Chapter 13 Trustee

CERTIFICATE OF SERVICE

A true and correct copy of the foregoing Objection to Confirmation was served on the following parties on November 08, 2022:

Carol Aragon, 4589 S 5400 W,Salt Lake City, UT 84120

RYAN D. BAXTER, ECF Notification

/s/ Jaci Coyle